

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

| | | |
|--------------------------------|---|-----------------------------------|
| PHILIP L. NEAL, |) | |
| |) | |
| Plaintiff, |) | |
| |) | |
| vs. |) | Civil Action No. 14-39J |
| |) | Judge Kim R. Gibson/ |
| MARIO DIRIENZO; MELISSA |) | Magistrate Judge Maureen P. Kelly |
| TRENT; MR. FEATHERS; MS. KING; |) | |
| PENNSYLVANIA BOARD OF |) | |
| PROBATION AND PAROLE, |) | |
| Defendants. |) | |

ORDER

The above-captioned prisoner civil rights complaint was received by the Clerk of Court on March 6, 2014, and was referred to United States Magistrate Judge Maureen P. Kelly for pretrial proceedings in accordance with the Magistrate Judges Act, 28 U.S.C. § 636(b)(1), and Rule 72 of the Local Rules for Magistrate Judges.

The Magistrate Judge's Report and Recommendation, ECF No. 3, filed on March 25, 2014, recommended that Plaintiff's In Forma Pauperis ("IFP") application be denied because he has three strikes and that he be made to pay the filing by a date certain and further, if he fails to do so, his complaint should be dismissed for failure to prosecute. Service was made on the Plaintiff at his address of record as well as another address. Plaintiff was given until April 11, 2014 to file objections. Plaintiff filed his objections on April 9, 2014. ECF No. 6. Nothing in those objections merits rejection of the Report.

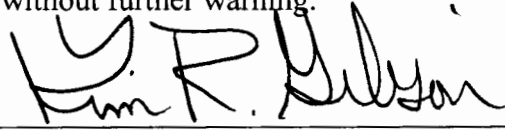
For the reasons set forth herein, **IT IS HEREBY ORDERED** that Plaintiff's Objections are overruled.

AND NOW, this 16th day of April, 2014;

IT IS HEREBY ORDERED that the IFP application is DENIED.

IT IS FURTHER ORDERED that the Report and Recommendation, ECF No. 3, filed on March 25, 2014 by Magistrate Judge Kelly, is adopted as the opinion of the Court.

Plaintiff is **ORDERED** to pay the filing fee of \$400.00 by April 30, 2014 or the case will be dismissed for failure to prosecute without further warning.

A handwritten signature in black ink, appearing to read "Kim R. Gibson", written over a horizontal line.

KIM R. GIBSON
UNITED STATES DISTRICT JUDGE

cc: The Honorable Maureen P. Kelly
United States Magistrate Judge

Philip L. Neal
701 Penn Ave.
New Brighton, PA 15066